

FORTIETH DAY.

SENATE CHAMBER,
AUSTIN, February 26, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Davis,

The reading of the Journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Allen:

Petition of citizens of Andrews county, protesting against being attached to Midland county for judicial purposes and asking that they may remain attached to Martin county.

Referred to Committee on Judicial Districts.

Petition of seventy-six farmers of Coke county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Armistead:

Petition of two hundred and three citizens of Bowie county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Jarvis:

Three petitions, including four hundred and twenty-one business and laboring men of Fort Worth, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Atlee:

Petition of citizens of Nueces county, Referred to Committee on Stock and Stockraising.
to abolish office of inspector of hides and animals.

By Senator Field:

Petition of voters of Milam county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Johnson:

Petition of seventy-five voters of Upshur county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

Petition of citizens of Titus county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Upshaw:

Petition of citizens of Hill county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Glasscock:

Petition of one hundred and thirty-six voters of Burnet county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Claiborne:

Memorial of R. A. Rutherford, J. D. Fields and C. S. Granberry, legislative committee of the Farmers' Alliance of Texas, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Armistead:

Petition of thirty-seven citizens of Titus county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Woodward:

Petition of thirty-six citizens of Goliad county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Burney:

Petition of twenty citizens of the city of El Paso, favoring the creation of the new county out of El Paso county, known as Sierra Blanco.

Referred to Committee on Counties and County Boundaries.

By Senator Field:

Petition of citizens of Robertson county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Allen:

Petition of citizens Melissa, Collin county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

REPORTS OF STANDING COMMITTEES.

By Senator Cranford:

COMMITTEE ROOM,

AUSTIN, February 26, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills

have carefully examined and compared

Senate bill No. 258, being "An act to incorporate the city of Fort Worth and to grant a new charter to said city."

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, February 26, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 140, being "An act to amend article 375, title 17, of the Revised Civil Statutes of the State of Texas, as amended by an act approved March 27, 1885,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, February 25, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 99, being "An act to amend article 2916, title 53, chapter 1, of the Revised Statutes,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

By Senator Sims:

COMMITTEE ROOM,
AUSTIN, February 26, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 557, entitled "An act supplemental to and amendatory of an act passed at the present session of the Twenty-first Legislature, approved February 15, 1889, entitled an act to amend an act to designate what counties shall compose the Twenty-ninth judicial district of the State of Texas, and to fix the time of holding court therein, approved March 30, 1887,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

This bill seeks to change the time of

holding the district courts in Palo Pinto and Coryell counties.

All of which is respectfully submitted.

SIMS,
Chairman.

Bill read first time.

BILLS AND RESOLUTIONS:

By Senator Kimbrough:

A bill to be entitled "An act to amend chapter 2, title 32, of the Revised Statutes by adding thereto article 1545a."

[Providing that each justice of the peace may appoint a clerk, to hold such position during the will of the justice, and who shall be authorized to administer oaths, etc.]

Referred to Judiciary Committee No. 1.

By Senator Abercrombie:

A bill to be entitled "A act to amend chapter 2, title LXXXIV of the Revised Statutes of the State of Texas, so as to add thereto another article to be known as article 4260a."

[Providing that the purchasers of railroad property shall have the right to form a corporation under chapter 1 of this title.]

The emergency clause is added.]

Referred to Committee on Internal Improvements.

The President referred

House bill No. 84 to Finance Committee.

Senator Burney moved that the Senate adhere to its amendments to House bill No. 21, in which the House refused to concur, and that the Senate ask for a free conference committee.

Adopted.

The President appointed on such committee on the part of the Senate Senators Burney, Sims and Lane.

Senator Burges offered the following resolution:

Resolved, That the afternoon sessions shall be devoted to the consideration of the railroad commission bills until disposed of, and the morning sessions to the regular order of business.

The resolution was lost by the following vote:

YEAS—14.

Armistead,
Atlee,
Burges,
Burney,

Davis,
Glasscock,
Harrison,
Ingram,

Jarvis,
Maetze,
McDonald,

Pope,
Stephens,
Townsend.

NAYS—16.

Abercrombie,
Allen,
Claiborne,
Cranford,
Field,
Frank,
Johnson,
Kimbrough,

Lane,
Morris,
Seale,
Simkins,
Sims,
Tyler,
Upshaw,
Woodward.

Senator Seale entered a motion to reconsider the vote just taken.

On motion of Senator Harrison

The regular order of business was suspended to take up out of its regular order

Substitute House bills Nos. 111, 142, 173 and 180, entitled "An act to amend sections 2, 5 and 6, chapter 105, of an act entitled an act to create a bureau of agriculture for the State of Texas, and to add to it the department of Insurance, Statistics and History, to properly designate said department and its head and to prescribe the duties belonging to it relating to agriculture, passed by the Twentieth Legislature and approved April 1, 1887," by the following vote:

YEAS—23.

Armistead,
Burges,
Burney,
Claiborne,
Cranford,
Davis,
Glasscock,
Harrison,
Ingram,
Jarvis,
Johnson,
Kimbrough,

Maetze,
McDonald,
Pope,
Seale,
Simkins,
Sims,
Stephens,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—7.

Abercrombie,
Allen,
Atlee,
Field,

Frank,
Lane,
Morris.

The bill was laid before the Senate and read the second time and passed to its third reading.

On motion of Senator Harrison,

The constitutional rule was suspended to place the bill on its third reading and final passage by the following vote:

YEAS—30.

Abercrombie,
Allen,
Armistead,
Atlee,
Burges,
Burney,
Claiborne,
Cranford,
Davis,
Field,
Frank,
Glasscock,
Harrison,
Ingram,
Jarvis,

Johnson,
Kimbrough,
Lane,
Maetze,
McDonald,
Morris,
Pope,
Seale,
Simkins,
Sims,
Stephens,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—None.

The bill was read the third time and Passed by the following vote:

YEAS—28.

Abercrombie,
Allen,
Armistead,
Atlee,
Burges,
Burney,
Claiborne,
Cranford,
Davis,
Field,
Frank,
Glasscock,
Harrison,
Ingram,

Jarvis,
Johnson,
Kimbrough,
Maetze,
McDonald,
Pope,
Seale,
Simkins,
Sims,
Stephens,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—2.

Lane,

Morris.

Senator Woodward sent up the following joint committee report:

AUSTIN, Texas, February 23, 1889.

Hon. F. P. Alexander, Speaker of the House Twenty-first Legislature, and T. B. Wheeler, President of the Senate:

SIRS—your joint committee of the two houses, appointed to visit the Hospital for the Insane at Terrell, for the purpose of inspecting the same, beg leave to respectfully report that they have performed their duty, carefully examined into the details of its management, and inspected its various wards and the unfortunate occupants thereof.

That on arriving at Terrell on the evening of February 11, 1889, they were received by the superintendent and board of directors and cordially

invited to make a thorough and close investigation of the asylum. All books, papers and accounts were placed before them for investigation.

They examined the entire building first, and found it in excellent condition, and a model of cleanliness, with the exception of the basement floor, which is in such a dilapidated condition as to need speedy relaying, having rotted, from dampness below, until it is really dangerous for the patients to walk over it.

That they inspected the steam laundry and found it a model of mechanical ingenuity; also the bakery, the kitchen range, the butcher shop, blacksmith and carpenter shop, the water and gas works and outhouses, and they were in first-class order.

Four hundred and seven inmates were found in the institution; twenty of whom were pay patients, turning into the State treasury twenty dollars each per month. They found less noise, better government and a greater satisfaction than ever anticipated or ever met with in a like number of insane persons. Kindness seemed the rule of government. They were highly pleased with the entire management; the plain record of all disbursements of money.

But the matron, Mrs. Wallace, deserves the highest encomium that they can offer for her urbanity and tenderheartedness manifested on all sides. The inmates love her, and justly so.

The committee would suggest that her salary be increased, on account of her untiring energy and devotion to these poor creatures. The appropriation of one hundred and fifty thousand dollars made at the special session of the Twentieth Legislature is being rapidly invested in brick and mortar, and it will not be long before the capacity of the building will be doubled, but the superintendent informed the committee that they had a sufficient number of applicants now on file to fill the entire building. Other buildings for a like purpose are now needed.

They take great pleasure in stating that an extensive free library, containing many useful books and all the leading newspapers of the State, together with many from other sections of the United States, thereby furnishing valuable reading matter to the inmates, soothing the troubled mind by whiling away the long weary hours when the weather is too bad for outdoor exercise, is the pride of all. Contributions to these charitable enterprises are respectfully solicited by the

management and friends to these unfortunates.

Peace and harmony reigned, from the superintendent to the most humble appointee; no friction. They would suggest that the law requiring bids for supplies to be advertised in two papers, one at Galveston, the other at Austin, be extended so as to include Fort Worth and Dallas, that North Texas may compete in supplying this institution, being near at hand.

They believe this report, though short, complete and full, but the members are respectfully requested to examine carefully the report of the institution now on the desk of each one.

All of which is respectfully submitted.

McGAUGHEY,
For House.
WOODWARD,
CRANFORD,
For Senate.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, February 26, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I have the honor to inform the Senate that the House has passed

House bill No. 243, a bill to be entitled "An act to further regulate the control and management of the public free schools in cities and towns in this State where exclusive control and management of the public free schools within their limit has been or may be vested in a board of trustees, and to further define the duties and powers of such board of trustees in the exclusive control and management of the public free schools in such cities and towns" by a vote of 62 ayes and 33 nays.

Also the House has passed Substitute for House bills Nos. 474 and 478, a bill to be entitled "An act to extend for ten years the payment of the principal of the purchase money for lands purchased under the two acts of the Legislature herein named,"

Under the suspension of the constitutional rule and by a two-thirds vote, there being yeas; 95; nays, 2.

I beg also to inform the Senate that the House has adopted a resolution inviting the Senate, the Governor, the heads of State departments and all other State officials to attend the session of the House at 4 o'clock this af-

ternoon and witness the presentation of the gift of Honorables W. Joel Bryan and Guy M. Bryan, jr., of a portrait of Stephen F. Austin to the State of Texas, by Judge A. W. Terrell.

W. M. IMBODEN,
Chief Clerk House of Representatives.

On motion of Senator McDonald,
The invitation from the House was accepted.

The railway commission bills were laid before the Senate as unfinished business, with Senator Johnson's motion pending to substitute the substitute for House bills for the Senate bill.

Senator Simkins spoke at length in favor of the substitute.

Senator Lane obtained the floor to speak to the pending question.

Senator Armistead moved to suspend the pending business until the afternoon, and that Senator Lane be allowed the floor when the Senate met.

Adopted.

By leave, Senator Stephens introduced,

A bill to be entitled "An act to diminish the civil and criminal jurisdiction of the county courts of Hale, Potter and Oldham counties, and to conform the jurisdiction of the district courts of said counties to such change."

Referred to Judiciary Committee No. 1.

By leave, Senator Claiborne sent up the following committee report:

COMMITTEE ROOM,
AUSTIN, February 26, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Military Affairs, to whom was referred

Senate bill No. 301, entitled "An act to amend article 3249 of chapter 2, and articles 3293, 3294, 3295, 3304, 3306, 3307, 3308, 3318, 3327 and 3329 of chapter 4 (militia law), Revised Statutes of Texas, and to repeal articles 3319, 3320, 3321, 3322, 3323, 3324, 3325, 3326 of said chapter Militia Law,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

CLAIBORNE,
Chairman.

Bill read first time.

By leave, Senator Davis sent up the following committee report:

COMMITTEE ROOM,
AUSTIN, February 26, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Stock and Stockraising, to whom was referred

House bill No. 36, entitled "An act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 79, of the acts of 1883, entitled an act to amend chapter 48, of the acts of 1887, an act to amend section 46, of an act to encourage stockraising, and to protect stockraisers, approved April 22, 1879, and amended April 4, 1881, and April 12, 1883, and March 27, 1887,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

DAVIS,
Chairman.

Bill read first time.

By leave, Senators Sims and Burney sent up petitions as follows:

By Senator Sims:

Petition of citizens of Shackelford county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Burney:

Petition of eighty-seven voters of Bexar county favoring a railroad commission.

Referred to Committee on Internal Improvements.

On motion of Senator Burney,

The following communications, read by Senator Simkins while speaking on the railroad commission bill, were ordered to be printed in the Journal, viz:

To the Honorable Committee on Railroads, Senate Chamber, Austin, Texas:

GENTLEMEN—While in your city I had the honor to be called before your Committee on Railroads. As the statement made before your committee was a mere statement without proof, I beg herewith to hand you same, gotten up as well as the short space of time will allow.

What I desire is to prove to the Senate and House of Representatives

of Texas, that a maximum rate of twenty-five cents per hundred pounds for the first hundred miles, and twelve and one-half cents per hundred pounds for each additional hundred miles, is a full rate. A greater maximum rate would be equal to none. The maximum rate might as well be thirty dollars as thirty cents, and fifty dollars as fifty cents, so far as the trade, commerce and manufacturing interests of the State are concerned. You will see by the telegrams enclosed, giving rates now in force to the different points, the following facts:

FIRST-CLASS FREIGHT RATES.

(The rates quoted are for lots of any size, the average or car load being twenty-four thousand pounds, although they usually put more pounds to the car. The gross amount extended is to show what they would earn for a standard car load.)

From New York to Chicago, nine hundred and seventy-five miles, seventy cents per one hundred pounds, average rate seven cents per one hundred miles, standard car load, twenty-four thousand pounds, making one hundred and sixty-eight dollars.

From New York to Louisville, nine hundred and thirty-five miles, seventy cents per one hundred pounds, average rate seven cents per one hundred miles, standard car load, twenty-four thousand pounds, making one hundred and sixty-eight dollars.

From New York to St. Louis, one thousand and sixty-five miles, eighty cents per one hundred pounds, average rate seven cents per one hundred miles, standard car load, twenty-four thousand pounds, making one hundred and ninety-two dollars.

From New York to Kansas City, one thousand four hundred and thirty-three miles, one dollar and twenty-seven cents per one hundred pounds, average rate eight and three-tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making three hundred and four dollars and eighty cents.

From New York to Memphis, one thousand one hundred and eighteen miles, one dollar per one hundred pounds, average rate eight and three-tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making two hundred and forty dollars.

From New York to Nashville, one thousand one hundred and twenty-six miles, ninety-one cents per one

hundred pounds, average rate eight and eight-tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making two hundred and eighteen dollars and forty cents.

From New York to Knoxville, seven hundred and forty-two miles, one dollar and eight cents per one hundred pounds, average rate fourteen cents per one hundred miles, standard car load, twenty-four thousand pounds, making two hundred and fifty-nine dollars and twenty cents.

From New York to Selma, Alabama, one thousand one hundred and fifty-one miles, one dollar and fourteen cents per one hundred pounds, average rate nine and three-tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making two hundred and seventy-three dollars and sixty cents.

RATE ON COTTON PIECE GOODS.

From Atlanta to St. Louis, six hundred and thirty-nine miles, fifty-six cents per one hundred pounds, average rate, eight and a three tenths cents per one hundred miles, standard car load, twenty-four thousand pound, making one hundred and thirty-four dollars and forty cents.

From Augusta to St. Louis, eight hundred and ten miles, fifty-six cents per one hundred pounds, average rate six and three tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making one hundred and thirty-four dollars and forty cents.

From Piedmont, South Carolina, to St. Louis, six hundred and ninety-one miles, sixty-nine cents per one hundred pounds, average rate ten cents per one hundred miles, standard car load, twenty-four thousand pounds, making one hundred and sixty-five dollars and sixty cents.

From Atlanta to New York, one thousand and sixty-five miles, forty-nine cents per one hundred pounds, average rate four and three tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making one hundred and seventeen dollars and sixty cents.

From Atlanta to New Orleans, five hundred and fifty-seven miles, thirty-eight cents per one hundred pounds, average rate six and three tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making ninety one dollars and twenty cents.

From Dallas to Galveston, three

hundred and fifteen miles, ninety-eight cents per one hundred pounds, average rate thirty-one cents per one hundred miles, standard car load, twenty-four thousand pounds, making two hundred and thirty-five dollars and twenty cents.

From Dallas to St. Louis, six hundred and eighty-two miles, one dollar and thirty-three cents per one hundred pounds, average rate nineteen and two-tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making three hundred and nineteen dollars and twenty cents.

From Dallas to New Orleans, five hundred and fifteen miles, one dollar and twenty cents per one hundred pounds, average rate twenty-three and two-tenths cents per one hundred miles, standard car load, twenty-four thousand pounds, making two hundred and eighty-eight dollars.

Texas roads class cotton piece goods first-class freight, while eastern roads class them sixth class. [Note—Goods coming to Texas west of the Mississippi pay enormous rates, as they are in combination with the Texas lines of railway.]

TEXAS FIRST CLASS RATES.

From Galveston to Austin, two hundred and sixteen miles, ninety-three cents per one hundred pounds, average rate forty-three cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and twenty-three dollars and twenty cents.

From Galveston to San Antonio, two hundred and sixty-six miles, ninety-eight cents per one hundred pounds, average rate thirty-six and three-tenths cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and thirty-five dollars and twenty cents.

From Galveston to Waco, two hundred and thirty-six miles, ninety-eight cents per one hundred pounds, average rate forty-one and two-tenths cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and thirty-five dollars and twenty cents.

From Galveston to Fort Worth, three hundred and forty-five miles, ninety-eight cents per one hundred pounds, average rate twenty-eight and two-tenths cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and

thirty-five dollars and twenty cents.

From Galveston to Dallas, three hundred and fifteen miles, ninety-eight cents per one hundred pounds, average rate thirty-one cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and thirty-five dollars and twenty cents.

From Galveston to Paris, four hundred and thirteen miles, ninety-eight cents per one hundred pounds, average rate twenty-three and three-tenths cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and thirty-five dollars and twenty cents.

From Galveston to Tyler, two hundred and fifty-six miles, ninety-eight cents per one hundred pounds, average rate thirty-eight and one-fourth cents per one hundred miles, standard car load, two thousand four hundred pounds, two hundred and thirty-five dollars and twenty cents.

From Galveston to Texarkana, three hundred and seventy-nine miles, ninety-eight cents per one hundred miles, average rate twenty-six cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and thirty-five dollars and twenty cents.

From Dallas to Waco, one hundred and eighteen miles, sixty cents per one hundred pounds, average rate fifty cents per one hundred miles, standard car load, two thousand four hundred pounds, making one hundred and forty-four dollars.

From Dallas to Austin, two hundred and thirty-one miles, eighty-eight cents per one hundred pounds, average rate thirty-eight cents per one hundred miles, standard car load, twenty-four thousand pounds, two hundred and eleven dollars and twenty cents.

From Dallas to San Antonio, three hundred and eleven miles, eighty-eight cents per one hundred pounds, average rate twenty-eight cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and eleven dollars and twenty cents.

From Dallas to Laredo, four hundred and sixty-five miles, one dollar and three cents per one hundred pounds, average rate twenty-two cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and forty-seven dollars and twenty cents,

From Dallas to El Paso, six hundred and forty-eight miles, one dollar and fifty cents per one hundred pounds, average rate twenty-three cents per one hundred miles, standard car load, two thousand four hundred pounds, making three hundred and sixty dollars.

From Dallas to Colorado, two hundred and sixty-two miles, one dollar per one hundred pounds, average rate forty-two cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and sixty-six dollars and forty cents.

From Dallas to Paris, one hundred and twenty-eight miles, fifty cents per one hundred pounds, average rate thirty-nine cents per one hundred miles, standard car load, two thousand four hundred pounds, making one hundred and twenty dollars.

From Dallas to Sherman, sixty-four miles, thirty-two cents per one hundred pounds, average rate fifty cents per one hundred miles, standard car load, two thousand four hundred pounds, making seventy-six dollars and eighty cents.

From Dallas to Marshall, one hundred and forty-eight miles, seventy-two cents per one hundred pounds, average rate forty-eight cents per one hundred miles, standard car load, two thousand four hundred pounds, making one hundred and seventy-two dollars and eighty cents.

From Dallas to Houston, two hundred and sixty-five miles, eighty-eight cents per one hundred pounds, average rate thirty-three cents per one hundred miles, standard car load, two thousand four hundred pounds, making two hundred and eleven dollars and twenty cents.

Special attention to the enormous rates now charged in Texas.

Is the above not sufficient to prove the rates now in force in Texas unjust and unreasonable, and are the above not sufficient to prove that the maximum rate suggested is more than sufficient?

Mr. Ripley tells you that the merchants of Galveston think the rates to the interior not high enough. It seems to me that Mr. Ripley, in this matter, could hardly speak the sentiments of the intelligent merchants of Galveston; that the people of Texas should be taxed millions of dollars of burdensome, excessive freights, in order that their city and themselves might be benefitted a few thousand. Another point, gentlemen, to which I desire to call your attention: Mr. Ripley's

denial of my statement that a pool, traffic association, or anything of the kind, was still in existence. At the same time he tells you that there is an arrangement between the different lines in the State, and that Mr. Waldo is spokesman, as it were, for these lines, and that rates have to be submitted to him, and by him to the different roads for their approval. Now, gentlemen, this arrangement he may call a pool, traffic association, arrangement or conspiracy, but whatever it is, it is the most powerful and disastrous ever known to the people of Texas. The position of the roads I can best illustrate as follows:

Suppose every merchant of Texas should meet and make an arrangement to establish prices, and appoint one of their number to receive the prices made by them, and no one to be allowed to change the same except by the permission of all the balance. Through this man, upon the penalty of absolute ruin, they put up the price of coffee, sugar, calico, domestic and everything to double their present price. What would you call such an organization? This is the exact kind in force in Texas by the railroads today.

In my visit to your city I find a most powerful influence working in behalf of the railroads.

Your sympathies, your intelligence, your manhood and your pockets are all appealed to in every way that will promise the least hope, while, in behalf of the people of the State, I found no organized force or effort to place before your body the true condition of affairs between the people and the roads. They obtain your sympathy by making you believe that the people are their enemies, and are going to crush them out; that they are now almost bankrupt, and that unless permitted to charge what they please, will have to go into bankruptcy or have to suspend operations; that they are not now earning fixed charges, although those fixed charges are made up of interest on watered stocks and bonds, five to ten times the cost of the roads. They appeal to your intelligence by statistics, tables, and figures made up for your special benefit. They appeal to your manhood by telling you that Texas should comply with every agreement; that the roads should be permitted to earn a living like everyone else; that it would be a disgrace which our fair State would never get over to throw any obstacle in their

way. They forget that it has been only a short time since they stood in our Senate halls asking and begging assistance from the State to an enormous extent, on the grounds that it would be many years before their lines could be made to pay—that the State would have to become thickly settled, and that manufacture, mining and agriculture would have to be fostered and encouraged. Did they get the assistance? Yes; an enormous amount. And were they satisfied? No; they went in the same way to every town, city and village along the way they pass, asking and securing enormous donations—they promising to do wonder toward developing the resources of the various locations. Are they doing it? And how? Yes; by exacting the profits of all they can make, and more too. They appeal to your pockets by holding out to you that you need railroads in your section, and if you will only be liberal and treat the railroad right, you will ere long have what you desire. The way railroads understand how to appeal to people's pockets is something wonderful. Let me say to those desiring railroads, that what the railroads earn in Texas does not count in the building of same. The question is, how much stock and bonds can they issue per mile, and what will these stocks and bonds bring, and what will the people along the line give in money and land? I will tell you, gentlemen, what will build railroads, and when built, make them pay. It is the general prosperity of our great State, the development of agricultural, mining and manufacturing interests, which will populate our vast country and work her products into articles of commerce, thereby increasing them in value from two to forty fold. When this is done, the various railroads in our State will be able to pay interest and dividends on bonds and stocks, exceeding even one hundred thousand dollars per mile.

Once more permit me to call your attention to the manufacturing interests of the State. While yet in its infancy it is about to be crushed by these railroad combinations with their enormous freight rates. Mr. Ripley tells you that Texas has no manufacturing interests outside of flouring mills. In this I can prove that he is mistaken. Dallas alone has over fifty manufacturing establishments, working from two to two hundred and fifty people each, and altogether more than two thousand people are engaged in this line in our city, consuming raw mater-

ial worth nearly two million dollars, while the production of this industry is between four and five million dollars. I believe almost every town in the State of over one thousand people have some manufacturing interests. It is true that many of them are small, but if given proper protection by your body, are good seed sown in rich soil and will, by and by, develop into grand institutions.

As an illustration of this fact, we will say that the Blankenship & Blake Company commenced the manufacture of clothing seven years ago with four operators, making about sixty garments per week, and we found it difficult to dispose of even this small production. Year by year we have increased until we now have one of the finest factories in America, working on an average over two hundred and fifty operators and making over fifteen thousand garments per week, which will this year exceed in value one-half million dollars, if we are not crushed out by the railroads.

This is not all. Upon the success of this manufacturing industry, we were enabled to build the Dallas Cotton and Woolen Mills, operating over two hundred and fifty people, consuming raw material of over four hundred thousand dollars, with a product of over one million dollars. This is not yet all. This work is mostly done by women, boys and girls (there not being to exceed one-fourth of them men), and you will readily see that these five hundred people produce more net wealth to the State than five thousand farmers in the richest part of the State. I assure your honorable body that Texas to-day has hundreds of small manufacturing industries growing up, which, if protected and encouraged, will become gigantic concerns. My investigations also lead me to believe that there are to-day over one hundred thousand people idle in Texas who are unable to farm or perform the labor offered them at present, but who are anxious and willing to work and would make the best of factory operators. While they are drones at present, they would become valuable citizens; and produce millions upon millions of dollars to the State annually. My opinion is that our State is the richest in the Union in raw material. Cotton, wool, hides, lumber, building material, coal, copper, iron, etc., are all here in vast quantities. True statesmanship is the development of your State. There is one way to do it rapidly and sure;

protect your agricultural, mining and commercial interests and they will do the balance.

In conclusion, again permit me to ask your protection for the manufacturers and people of our entire State. There is only one sure relief, and that is a reasonable maximum freight rate of not exceeding twenty-five cents per hundred pounds for the first hundred miles, and twelve and one-half cents for each additional hundred pounds per hundred miles.

We beg that if you do not grant this prayer that you will grant the manufacturers in the State a maximum freight rate of not exceeding fifteen cents per hundred pounds per hundred miles.

Your obedient servant,
S. D. BLAKE.

DALLAS, February 2, 1889.

Langtry & Dickson, New Orleans, La.:

Ascertain and wire us what you can get best rates on first-class freight from New Orleans to Dallas.

BLANKENSHIP & BLAKE CO.

NEW ORLEANS, LA., Feb. 12, 1889.

Blankenship & Blake Company, Dallas:

Lowest first-class rate for any quantity one twenty-three.

LANGTRY & DICKSON.

DALLAS, TEXAS, February 9, 1889.

Skinner, White & Co., St. Louis, Mo.:

Please wire us, night rate, the best freight rate the mills get from Piedmont, Atlanta, Augusta, Knoxville, Lowell and Fall River, to St. Louis. Will send head ends shortly.

DALLAS COTTON AND WOOLEN MILLS,

S. D. BLAKE,
President.

ST. LOUIS, MO., February 12, 1889.

S. D. Blake, President Dallas Cotton and Woolen Mills, Dallas:

Rate from Augusta and Atlanta, fifty-six; Piedmont, sixty-nine; Lowell and Fall River, about the same as from New York. Have hope you will supply us soon on your line.

SKINNER, WHITE & CO.

DALLAS, February 11, 1889.

William Blake & Co., New Orleans, La.:

Please ascertain best first-class freight rates from New York to New Orleans, Cromwell line. Don't use our name. Wire, our expense.

BLANKENSHIP & BLAKE CO.

NEW ORLEANS, La., February 12.

Blankenship & Blake Co., Dallas:

Fifty-five per hundred pounds. Advise your conferring with Cromwell people in New York, as think you can do better for round lot. Say that I recommend your seeing them.

WM. BLAKE.

DALLAS, February 11, 1889.

Henry Charnock, New Orleans, La.

Please wire us best freight rates to be obtained from the mills at Atlanta, Nashville, Augusta, Richmond, Piedmont, Knoxville and Louisville to New Orleans.

BLANKENSHIP & BLAKE CO.

NEW ORLEANS, February 16, 1889.

Blankenship & Blake Co., Dallas.

Rates for freight factory goods to New Orleans from Nashville is twenty-nine cents, Augusta forty-two cents, Louisville thirty-five cents. No others yet.

H. CHARNOCK.

DALLAS, TEXAS, February 1, 1889.

Miller Bros., Galveston, Texas:

Please wire us best rate for first-class freight from New York to Galveston, Mallory or Morgan line.

BLANKENSHIP & BLAKE CO.

[Note the wonderful difference between rates to New Orleans and Galveston on account of combination between railroads and steamships in Texas trade.]

GALVESTON, TEXAS, Feb. 12, 1889.

Blankenship & Blake, Dallas, Texas:

Eighty cents per hundred best rate here.

MILLER BROS.

See rates to New Orleans.

BLAKE.

DALLAS, February 11, 1889.

Exposition Cotton Mills, Atlanta, Georgia:

What can you secure us freights from your mills to New York or New Orleans? Wire us by night rate.

BLANKENSHIP & BLAKE CO.

ATLANTA, GA., February 12, 1889.

Blankenship & Blake Co., Dallas:

New York forty-nine, New Orleans thirty-eight cents per hundred pounds.

EXPOSITION COTTON MILLS.

DALLAS, February 11, 1889.

H. B. Clafin & Co., New York City:

Telegraph us first-class freight rates

to Chicago, St. Louis, Louisville, Kansas City, Memphis, Nashville, Knoxville and Selma, Alabama. Secure and send immediately night rate.

BLANKENSHIP & BLAKE Co.

NEW YORK, February 12, 1889.

Blankenship & Blake Co., Dallas:

Chicago and Louisville, seventy; St. Louis, eighty-two; Kansas City, one twenty-seven; Memphis, one dollar; Nashville, ninety-one; Knoxville, one dollar eight; Selma, one fourteen.

JESSE C. LANE,

With H. B. Claflin & Co.

The president referred

House bill No. 243 to the committee on Education and the

Substitute for House bills 474 and 478 to the Committee on Public Lands.

Senate bill No. 99, a bill to be entitled "An act to amend article 2916, title 53, chapter 1 of the Revised Statutes was taken up, read the third time and passed.

On motion of Senator Frank,

The regular order of business was suspended to take up out of its regular order

House bill No. 557, a bill to be entitled "An act supplemental to and amendatory of an act passed at the present session of the Twenty-first Legislature, approved February 15, 1889, entitled an act to amend an act to designate what counties shall compose the Twenty-ninth judicial district of the State of Texas and to fix the times of holding court therein, approved March 30, 1887."

On motion of Senator Frank,

The constitutional rule was suspended to read the bill the second time, by the following vote:

YEAS—28.

Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Claiborne,	Pope,
Cranford,	Seale,
Davis,	Simkins,
Field,	Sims,
Frank,	Stephens,
Harrison,	Townsend,
Ingram,	Tyler,
Jarvis,	Upshaw,
Johnson,	Woodward.

NAYS—None.

ABSENT—2.

Abercrombie, Glasscock.

The bill was read the second time and passed to its third reading.

On motion of Senator Frank,

The constitutional rule was further suspended to place the bill on its third reading and final passage by the following vote:

YEAS—26.

Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	Morris,
Burney,	Pope,
Claiborne,	Seale,
Cranford,	Simkins,
Davis,	Sims,
Frank,	Stephens,
Harrison,	Townsend,
Ingram,	Tyler,
Jarvis,	Upshaw,
Johnson,	Woodward.

NAYS—None.

ABSENT—4.

Abercrombie,	Glasscock,
Field,	McDonald.

The bill was read the third time and

Passed by the following vote:

YEAS—27.

Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetz,
Burges,	McDonald,
Burney,	Pope,
Claiborne,	Seale,
Cranford,	Simkins,
Davis,	Sims,
Field,	Stephens,
Frank,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.
Johnson,	

NAYS—None

ABSENT—3.

Abercrombie,	Morris.
Glasscock,	

On motion of Senator Atlee,

Senate bill No. 297, a bill to be entitled "An act to authorize the county commissioners' court of Hidalgo county to issue bonds for the protection of the court house and jail and other property from further erosion of the Rio Grande river, and to levy a tax to pay the interest thereon,"

Was taken up out of its regular order,

Read the second time and ordered engrossed.

On motion of Senator Atlee,

The constitutional rule was suspended to put the bill on its third reading and final passage by the following vote:

YEAS—26.

Allen,	Johnson,
Armistead,	Kimbrough,
Atlee,	Lane,
Burges,	Maetze,
Burney,	McDonald,
Claiborne,	Seale,
Cranford,	Simkins,
Davis,	Sims,
Field,	Stephens,
Frank,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.

NAYS—None.

ABSENT—4.

Abercrombie,	Morris,
Glascock,	Pope.

The bill was then read the third time

And passed by the following vote:

YEAS—26.

Allen,	Johnson,
Armistead,	Kimbrough,
Atlee,	Lane,
Burges,	Maetze,
Burney,	McDonald,
Claiborne,	Seale,
Cranford,	Simkins,
Davis,	Sims,
Field,	Stephens,
Frank,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.

NAYS—None.

NAYS—4.

Abercrombie,	Morris,
Glascock,	Pope.

On motion of Senator Woodward,
The regular order of business was suspended to take up

Senate bill No. 303, a bill to be entitled "An act to restore to and confer upon the county court of Wilson county the civil and criminal jurisdiction

heretofore belonging to said court under the Constitution and general statutes of the State, to conform the jurisdiction of the district court of said county to such charge, and to repeal all laws in conflict with this act."

The bill was read the second time and ordered engrossed.

On motion of Senator Lane

The Senate adjourned until 2:30 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Senator Lane resumed the floor and spoke at length in opposition to the railroad commission bill.

Pending Senator Lane's argument.

The following message was received from the House:

HOUSE OF REPRESENTATIVES.

AUSTIN, February 26, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I beg to inform the Senate that the House has acceded to the request of the Senate for a conference committee between the two houses on

Substitute House bill No. 21, a bill to be entitled "An act to make valid and confirm contracts of sale made with divers persons for the sale of certain of the free school and asylum lands of the State of Texas, etc.," and that Messrs. Strong, Connelley, Brown of Grayson, McGaughey and Whatley have been appointed on such committee on the part of the House.

W. M. IMBODEN,

Chief Clerk House of Representatives.

The hour having arrived for the Senate to visit the House of Representatives to witness the presentation of the portrait of Stephen F. Austin to the State of Texas,

Senator Burges moved that the Senate in a body repair to the House, and that Senator Lane be allowed the floor when the Senate returns to its Chamber.

Adopted.

The Senate then repaired to the House.

[The proceedings in House of Representatives will appear in to-morrow's Journal.]

IN SENATE.

On motion of Senator Burges,
The Senate adjourned till ten o'clock to-morrow morning.